

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-15 are pending in the present application. Claims 1, 2, 6 and 9 have been amended, and claims 12-15 have been added by the present amendment.

Rejection under 35 U.S.C. § 102(a)

Claims 1-11 were rejected under 35 U.S.C. § 102(a) as anticipated by Haas et al. or Nesbit et al., which is respectfully traversed.

Independent claim 1 has been amended to include some of the subject matter recited in dependent claim 6. In particular, independent claim 1 has been amended to recite that the golfer's swing is photographed by two cameras at a position forward from said golfer and at a position rearward from said golfer in a ball fly line to obtain a front image and a rear image along said ball fly line, whereby two-dimensional coordinate data is obtained.

On the contrary, neither Nesbit et al. nor Haas et al. teach or suggest two cameras at a position forward from a golfer and a position rearward from a golfer in a ball fall line, whereby two-dimensional coordinate data is obtained. Rather, Nesbit et al. and Haas et al. use three-dimensional data for diagnosis and not two-dimensional coordinate data as in the present invention. That is, Nesbit et al. produces a three-dimensional android computer model of a human and records a three-dimensional motion of a golf. That is, the android model superimposes the recorded swing of the golfer. Further, Haas et al. teach using three-dimensional coordinate data for diagnosis (see claim 1, for example). In addition, four electrode-optical sensors 16,

16a-16c are used and located at least 30° apart in Haas et al. Haas et al. does not teach or suggest the claimed configuration of the two cameras as in the present invention. Further, the golfer in Haas et al. has a plurality of light sources (radiation sources) 18-30 such as an infrared-light emitting diode in which the light sources are illuminated continuously. This differs from the present invention.

Accordingly, it is respectfully submitted independent claim 1 and each of the claims dependent therefrom are allowable.

Further, new claims 12-15 have been added to set forth the invention in a varying scope, and Applicants submit the new claims were supported by the originally filed specification. In particular, new claims 12-14 depend either directly or indirectly on independent claim 1, and recite varying features of the present invention. It is respectfully submitted independent claims 12-14 further define over the applied art.

Further, new independent claim 15 includes subject matter similar to that as recited in original claims 1 and 11. It is respectfully submitted neither Nestdit et al. nor Haas et al. teach or suggest at least one unoperative reference point which does not move from an addressing till an impact being specified in a color to evaluate movements of the other reference points relative to said unoperative reference point. In more detail, as shown in Figure 1A of Haas et al., the Golfer includes a plurality of light sources 18, 18a, 20, 20a, 22, 22a, 24, 24a, 26, 26a, 28, 28a, 30 and 30a. However, there is no unoperative reference points which does not move from addressing until impact used to evaluate movements of the other reference points relative to the unoperative reference point. Further, Nestdit et al. is primarily directed to a method of generating a three-dimensional android computer model for analyzing the swing of a user. Nestdit et al. does not teach or suggest the at least one

unoperative reference point as claimed by the present invention. Accordingly, it is respectfully submitted independent claim 15 is also allowable.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

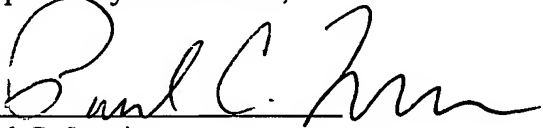
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone David A. Bilodeau, Registration No. 42,325, at (703) 205-8072.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: November 23, 2005

Respectfully submitted,

By 

Paul C. Lewis
Registration No.: 43,368
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

PCL/DAB/bsh